

REMARKS

This reply is in response to the Office Action of May 7, 2010. Claims 1 – 23 have been previously withdrawn. As such, claims 24 - 30 are pending in the application.

Claim Rejection – 35 USC §103

Claims 24-30 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over US Patent No. 5,524,514 to Hadaway et al. (hereinafter, the Hadaway reference) in view of US Patent Application, Publication No. 2001/0028025 A1 to Pease (hereinafter, the Pease reference). This rejection is respectfully traversed.

In Applicants' January 21, 2010 reply, Applicants argued, "Clearly, the Hadaway reference limits its teachings to a fence controller that is operated in response to operator input. The Hadaway reference makes no suggestion to direct the fence by anything other than operator input." In response, the Office argued in the instant Office Action, "The issue raised has no specific relevance to the instant invention especially since directing of a fence by anything other than an operator input has not been claimed." Applicants disagree with the Office's assessment of the claims. Claim 24 recites, in relevant part,

A table saw assembly, comprising: . . . a power tool control system . . . comprising . . . a non-contact measurement and alignment device . . . for determining table saw assembly settings . . .

Clearly, the non-contact measurement and alignment device takes measurements and uses those taken measurement to determine table saw assembly settings. This is distinct and contrary from the Hadaway reference which relies solely on measurements input by a user. The Hadaway reference does not teach or suggest using measurements input from anything other than a user. As such, there is no teach or suggestion in the Hadaway reference specification to use measurement inputs from a non-contact measurement device or to combine the teachings of the Hadaway reference with such a device.

In Applicants' January 21, 2010 reply, Applicants argued that "the Pease reference makes no suggestion to mount the measurement device at any other part of the table saw other than the working surface" and "the Pease reference limits the mounting location to the work table and makes no reference or suggestion to mounting the

measurement device anywhere else, such as for example, the fence.” In response the Office argued “The claimed limitation “a non-contact measurement and alignment device coupled with the base” is stated and is taught by Pease.” The Office further argued “Hadaway shows in Figure 1, item 13 as a measurement and alignment device that is coupled to the base as claimed.” Applicants disagree with the Office’s assessment of the claims. Claim 24 recites, in relevant part,

A table saw assembly, comprising: . . . a power tool control system coupled with the fence . . . the power tool control system further comprising: a base for coupling with the fence; a non-contact measurement and alignment device coupled with base . . .

As such, it is clear that the non-contact measurement and alignment device is coupled to a base of the power tool control system and the power tool control system base is coupled to the fence. Claim 24 does not recite, as suggested by the Office, that the non-contact measurement and alignment device is coupled to a base of the table saw. Clearly the Pease reference does not teach or suggest coupling the non-contact measurement and alignment device to a power tool control system base, which power tool control system base is coupled to the fence. On the contrary, the Pease reference only teaches coupling the non-contact measurement and alignment device directly to the table saw table, which is NOT a base, as recited in claim 24.

As the Hadaway reference does not teach or suggest using a device to make any measurements from the fence and the Pease reference does not teach or suggest coupling the measurement device to a fence, there is no suggestion and it would not have been obvious to one of ordinary skill in the art to combine these references to achieve the claimed invention.

In Applicants’ January 21, 2010 reply, Applicants argued, “Neither of the references teach or suggest coupling a non-contact measurement device to a fence, as recited in the independent claim 24.” In response, the Office argued, “This apparent feature of the instant invention is not found in claim 24 nor any of the cited dependent claims.” Applicants disagree with the Office’s assessment of claim 24. Claim 24 recites, in relevant part,

A table saw assembly, comprising: . . . a power tool control system coupled with the fence . . . the power tool control system further comprising: a base for

coupling with the fence; a non-contact measurement and alignment device coupled with the fence . . .

As such, the table saw assembly of claim 24 comprises a power tool control system comprising a non-contact measurement and alignment device coupled to a base and the base coupled to the fence. Therefore, the non-contact measurement and alignment device is coupled to the fence. In other words, claim 24 recites a non-contact measurement and alignment device coupled to a base of the power tool control system (which in turn is coupled to a fence) not a base of the table, as suggested by the Office. The Pease reference only teaches coupling the measurement device to the table saw table NOT to the fence.

In light of the foregoing, Applicants respectfully submit that neither the Hadaway nor the Pease references, whether taken alone or in combination teach or suggest the present invention as set forth in the currently pending claims. Therefore, Applicants respectfully request that the Office reconsider and withdraw the rejection.

CONCLUSION

It is believed that a full and complete response has been made to the outstanding Office Action, thus, prompt and favorable consideration of this reply is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (410) 716-3689.

No fees or extensions of time are believed necessary for this submission. However, the Commissioner is hereby authorized to grant any needed extension of time and to charge any additional fees that may be required for this Response, or credit any overpayments to Deposit Account No. 02-2548.

Respectfully submitted,

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